

REMARKS

This Amendment is being filed in response to the Office Action mailed March 23, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, claims 1-2, 6-9 and 14-15 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 7,046,650 (Sherman). Further, claims 3, 5, 11 and 13 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Sherman. Claims 4 and 12 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Sherman in view of U.S. Patent Application Publication No. 2002/0089959 (Fischer). It is respectfully submitted that claims 1 and 3-15 are patentable over Sherman and Fischer for at least the following reasons.

Sherman is directed to an 802.11 source station that transmits a signal with a duration field other than that required for the transmission in order to prevent transmission by other stations during known sequences. As shown in FIG 3, and recited on column

5, lines 23-36, short inter-frame spaces (SIFS) 816, 812, 813 are used respectively as gaps between a request-to-send (RTS) frame 81, a clear-to-send (CTS) frame 82, a data frame 83, and the acknowledgment (ACK) frame 84. The short inter-frame space (SIFS) indicates the time from the end of the last symbol of the previous frame to the beginning of the first symbol of the preamble of the subsequent frame as seen at the air interface.

As clearly shown in FIG 3, there is only a single data frame 83. Assuming, arguendo, that this single data frame 83 includes a preamble, header and body, as required by independent claims 1 and 8, any of the SIFS 816, 812, 813 shown in FIG 3 are NOT between two data frames that include a preamble, header and body. Rather, the SIFS 816, 812, 813 are between the request RTS and clear CTS frames, between the clear CTS frames and the date frame 83, or between the date frame 83 and the acknowledgment ACK frame 84.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 8, requires (illustrative emphasis provided):

sending said first data frame and said second data frame from a transmitter to a receiver with an inter frame space time between

said first data frame and said second data frame, wherein said inter frame space time consists of a time needed for said transmitter to detect ending of said first data frame and beginning of said second data frame, wherein said first data frame and second data frame each includes a preamble, header and body.

There is simply no teaching or suggestion in Sherman of having an IFS that consists of a time needed to detect the ending of a first data frame and the beginning of a second data frame, where the first and second data frames each includes a preamble, header and body. The Sherman request RTS 81 frame, clear CTS frame 82, and the acknowledgment ACK frame 84 are not data frames and do not include a preamble, header and body.

Assuming, arguendo, that the Sherman data frame 83 does include a preamble, header and body, then any second data frame is likely to be after the acknowledgment ACK frame 84, where the time between two such data frames would be more than the SIFS 813 between the first data frame 83 and the acknowledgment ACK frame 84. Fischer is cited in rejecting dependent claims to allegedly show other features and does not remedy the deficiencies in Sherman.

Accordingly, it is respectfully submitted that independent

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claims 1 and 8 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 3-7 and 9-15 should also be allowed at least based on their dependence from independent claims 1 and 8.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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